File
Education

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

February 3, 1975

BRIEFING BY REPRESENTATIVES OF THE BOARD OF EDUCATION AND OFFICE OF THE SUPERINTENDENT OF SCHOOLS BEFORE THE EDUCATION, RECREATION AND YOUTH AFFAIRS COMMITTEE

There will be a briefing by representatives of the Board of Education and Office of the Superintendent of Schools before the Education, Recreation and Youth Affairs Committee on Thursday, February 6, 1975 at 10:30 a.m. in Conference Room 501.

This presentation will focus upon the budgetary priorities, goals and problems of the D.C. Public Schools.

The public is welcomed to attend.

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

February 10, 1975

FOR IMMEDIATE RELEASE:

PATRICIA MINER TO HEAD EDUCATION, RECREATION AND YOUTH AFFAIRS COMMITTEE

Councilmember-at-Large Julius W. Hobson announces today the appointment of Ms. Patricia Evans Miner as his Legislative Staff Director for the Education, Recreation and Youth Affairs Committee.

Ms. Miner is an educational research analyst and will head the three member committee staff. Since 1969 she has served the D.C. School System in a number of capacities as an educational research and program designer where she has gained extensive familiarity with the equalization and comparability questions. Most recently she has worked as the special assistant to the Associate Superintendent for Planning, Development, and Evaluation. She has also worked closely with several community projects including the Anacostia Community School Project, the Two-W Project, the Adams-Morgan Community Schools, and the High School for the Performing Arts and assisted in developing the script for a weekly school system radio broadcast over WOOK - 1340 AM for Metropolitan Washington.

As head of the Education, Recreation and Youth Affairs Committee Staff, Ms. Miner will monitor the activities of the D.C. Public Schools, the Board of Education, the D.C. Colleges (DCTC, FCC and WTI), the Department of

Recreation, the Office of Youth Opportunities Services and the Public Libraries, and will make recommendations to the Committee Members on legislative action to be taken.

Among the first priorities of the Education, Recreation and Youth Affairs Committee will be to examine the budget needs of the various departments which fall under its jurisdiction and make recommendations to the Council when it reviews the Mayor's budget presentation. Another immediate issue which will be addressed by the Committee is the problem presented by the School District's compliance with the Wright Decree and the question of Title I comparability.

Ms. Miner, 27, is a resident of the District of Columbia. Educated at Smith College and George Washington University, she has a B.A. in Sociology and is currently a candidate for an M.A. at Georgetown University.

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RECEIVED
FEB 10 1975
Julius Hobson, Sr.
Councilmember-At-Large

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

February 18, 1975

FOR RELEASE AT 4:00 P.M. TODAY

CITY COUNCILMEMBERS ASK MAYOR FOR DETAILED INFORMATION ON POLITICAL SURVEILLANCE BY D.C. POLICE

Today, Julius W. Hobson asked other members of the City Council to join with him in sending a memorandum to the Mayor requesting that Chief of Police, Maurice Cullinane report fully on political surveillance by D.C. Police Officers.

Councilman Hobson asked that the report include a list of all persons, both D.C. residents and visitors, who were personally followed or watched by police officers for non-criminal reasons by the Police Intelligence Division, and names of those who authorized the surveillance program.

The eleven City Council members who joined with Mr. Hobson in the memorandum also requested that Councilmembers receive complete copies of the final report along with the Mayor.

Councilman Hobson stated "Although I expect the Mayor to cooperate, the City Council has the right to subpoena information and would not hesitate to do so when it comes to protecting the civil rights of both citizens of the District or visitors to the Nation's Capitol."

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# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

February 28, 1975

For Immediate Release:

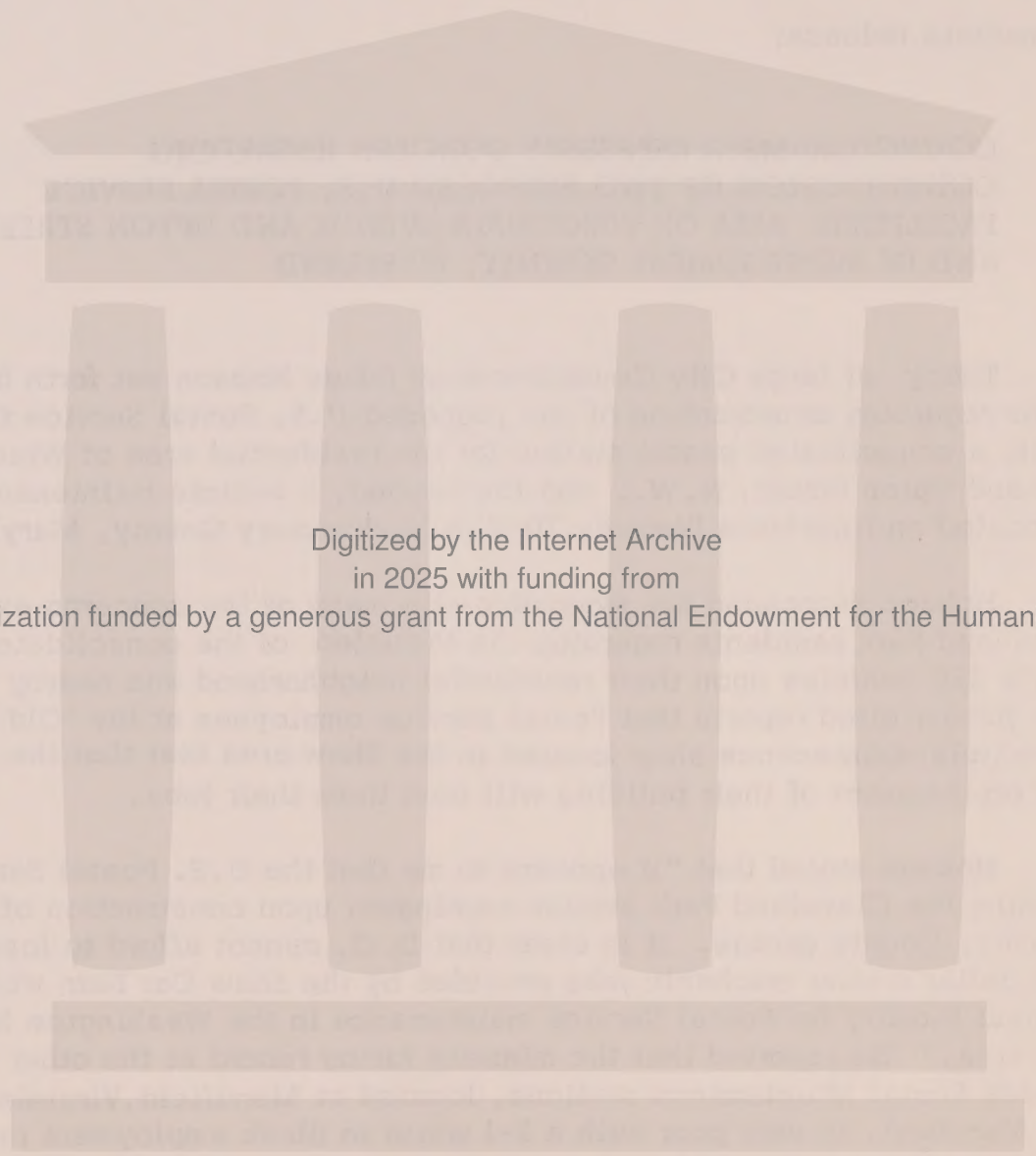
COUNCILMEMBER EXPRESSES CONCERN REGARDING CONSTRUCTION OF TWO PROPOSED U.S. POSTAL SERVICE FACILITIES: AREA OF WISCONSIN AVENUE AND UPTON STREET AND IN MONTGOMERY COUNTY, MARYLAND

Today, at large City Councilmember Julius Hobson set forth his concerns regarding construction of two proposed U.S. Postal Service facilities: the first, a consolidated postal station for the residential area of Wisconsin Avenue and Upton Street, N.W.; and the second, a vehicle maintenance shop to be located on Interstate Freeway 70-S in Montgomery County, Maryland.

Hobson expressed his sympathy with many of the concerns expressed by Cleveland Park residents regarding the intrusion of the consolidated facility's 260 vehicles upon their residential neighborhood and nearby schools. Hobson further cited reports that Postal Service employees at the 'Old Car Barn' vehicle maintenance shop located in the Shaw area fear that the Montgomery County replacement of their building will cost them their jobs.

Hobson stated that "it appears to me that the U.S. Postal Service is planning the Cleveland Park station contingent upon construction of the Montgomery County garage. It is clear that D.C. cannot afford to lose the 80 blue collar master mechanic jobs provided by the Shaw Car Barn which is the largest facility for Postal Service maintenance in the Washington Metropolitan area." He reported that the minority hiring record at the other two D.C. area Postal Maintenance stations, located at Merrifield, Virginia and Largo, Maryland, is very poor with a 5-1 white to Black employment ratio according to one postal employee.

In a memorandum to members of the D.C. City Council, also made public today, Councilman Hobson contends that it is clearly the Council's responsibility to protect the workers and residents affected by the contemplated Postal Service actions by asserting its views to the U.S. Postal Service and by insuring the agency's compliance with applicable environmental, occupational health, and civil rights laws.



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Council of the District of Columbia
News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

March 14, 1975

# STRONGER BOTTLE BILL WOULD INCREASE JOBS AND SAVE $10 MILLION

Today Councilmember Julius Hobson introduced a Returnable Beverage Container Bill that would increase jobs in the District by 100-200 positions and decrease the District's FY 1976 budget by nearly $10 million or 1% of the total budget. Mr. Hobson stated that the $10 million would be saved by precluding the need for the District to contract with Nixon intimate Donald Kendall's National Center for Resource Recovery. The 1976 Capital Budget (page LA-CAP-6) presently calls for the District to finance an energy intensive facility to pick out bottles and cans from the waste stream at the Lorton landfill.

Mr. Hobson further stated that the Returnable Beverage Container Bill will help relieve the city's growing solid waste problem, conserve energy and natural resources, and protect the public's health and safety. This would be accomplished by requiring a minimum refund value of ten cents on all beverage containers sold in Washington, D.C. The bill, which would take effect on June 1, 1976 has strong penalties for violation and provides the opportunity for public enforcement with a citizen suit provision.

Councilmember Hobson believes that doubling the value of returnable beverage containers and not waiting for the other Washington Metropolitan Area jurisdictions to enact a similar bill, as was the case with previous proposals, would provide strong immediate relief to the city's chronic solid waste management problem which will be compounded with the expected tourist increases during the bicentennial.

"All District residents, by working together, can take pride in establishing a conservation ethic in the Nation's capital--conserving energy and other natural resources, and reducing litter -- and still save $10 million of our tax money," Hobson said.

Mr. Hobson, therefore, urges passage of the Returnable Beverage Container Bill.

# Council of the District of Columbia
## Report

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

To All Council Members

From Julius W. Hobson, Councilmember at large

Date March 14, 1975

Subject Introduction of a bill entitled, "The Returnable Beverage Container Act of 1975" (RBCA)

I am presenting a bill entitled, "The Returnable Beverage Container Act of 1975" to be introduced before the Council at the next legislative session on Tuesday, March 18, 1975. Aspects of this bill which differ from the previously introduced Beverage Container Act (BCA) include items: 1, 5, 9, 10, 11, and 12.

Expected benefits include:

1. Establishing a "conservation ethic" in the Nation's Capital visable during the bicentennial -- with strong citizen incentives.

2. Adding significantly to increasing the potential income of our young unemployed* (through an estimated 100-200 new jobs and container collection refunds).

3. Reducing the 1976 capital budget by 10 million dollars.

Essential elements of RBCA:

4. Apply to beer and other malt beverages, mineral water, soda water and carbonated soft drinks.

5. Require a minimum refund value of ten cents on all beverage containers.

6. Require dealers and distributors to accept beverage containers for refund at the place and sale of delivery.

7. Require that each non-refillable beverage container sold in the District to state its refund value and the fact that it was sold within the District of Columbia.

8. Ban "pop top" cans with discardable parts.

*Currently estimated at 22% for people under 25 (based on the number of people who have applied for unemployment compensation).

9. Ban plastic beverage containers.

10. Provide for strong enforcement sanctions.

11. Provide for citizen action against a person who violates the provisions of the Act or against the Mayor should the executive not enforce the regulation.

12. Would go into effect immediately upon enactment and would not depend upon passage of a similar bill in the surrounding jurisdiction.

## DESCRIPTION OF MAJOR CHANGES

Several weeks ago Councilmember Polly Shackleton introduced a returnable container's bill, entitled the Beverage Container Act of 1975 (BCA). The attached bill although similar in some respects to BCA has a number of basis differences as noted above:

- The Returnable Beverage Container Act would take effect on June 1, 1976. BCA would take effect on July 1, 1976. Implimenting a refillable beverage container regulation in June 1976 would coinside with the summer bicentennial celebration and increases in tourism. The Mayor could authorize the use of CETA funds to aid dealers and distributors with additional labor costs for a minimum of six months.

- The Returnable Beverage Container Act calls for a minimum cash refund value of ten cents rather than five cents proposed in the previously introduced "bottle bill." A ten cent refund would provide a more adequate incentive for young people and adults to return beverage containers in a tourist oriented capital with daily parades, demonstrations, and public meetings -- particularly during the bicentennial year.

- The enforcement provisions of the Returnable Beverage Container Act would be stronger than the earlier bill. RBCA calls for a $1,000 fine for each day of non-compliance rather than a $50 fine. Any large retail dealer could elect to write off a $50 a day loss in fines in order to maintain non-returnable beverage containers.

- The Returnable Beverage Container Act also provides an opportunity for a citizen to initiate civil action against a dealer or distributor who violates the provisions of this Act or against

the Executive where there is an alleged failure on his part to carry out the Act's provisions. This provision adds strength to the enforcement provisions in the event there is laxity in bringing about compliance on the part of the Executive.

- In addition to the ban on "pop top" cans, the use of one-way plastic beverage containers would be prohibited. The plastics industry is now in the process of test marketing plastic beverage containers. Although lighter and less susceptible to breakage than glass, present methods of disposing of such containers can pose a hazard to public health and safety. Even if incinerated the plastic containers would give off lethal vinyl chloride and cyanide gas fumes adding further to the problem of air quality and pollution in the District.

- Finally the Returnable Beverage Container Act would become effective immediately upon enactment and would not depend upon enactment of similar acts in the surrounding jurisdictions. The Council has the opportunity to pass a progressive and far reaching piece of legislation which place a premium on the environment and the quality of life for the residents in the District. Passage of this bill would set the trend for other jurisdictions within the region and nation to follow.

## MAJOR ISSUES

### Labor and Economic Impact

One primary purpose of the Returnable Beverage Container Act is to increase jobs for District residents and decrease the capital budget. Implementation of this bill would create from 100 to 200 new jobs for District residents at the retail and wholesale levels and possibly at the distribution level since distributors would have to hire more people to handle the returnables and the increased bookkeeping. These jobs would provide much needed employment in the city for people with minimal skills. In Oregon where a returnable beverage container program has been in effect for 2½ years, there has been a net increase of 250 jobs.

The bill would reduce the Capital Budget by nearly $10 million by precluding the need for the District to contract with Nixon intimate Donald Kendall's National Center for Resource Recovery. The FY 1976 Capital Budget (page LA-CAP-6) presently calls for the District to finance an energy intensive facility to extract bottles and cans from the waste stream at the Lorton landfill (any additional employment resulting from the building of this facility will not occur in D.C.). Prior to any expenditure, the District should evaluate all resource recovery systems -- particularly those that maximize energy recovery rather than materials recovery (i.e., bottles and cans).

People such as Mr. Joseph Danzansky of Giant Food and other large grocery store owners have objected to previous "bottle bills" because of the expense incurred with additional labor costs in the handling of returnable beverage containers. The Mayor is encouraged to authorize the use of Comprehensive Employment Training Act (CETA) funds to assist local grocers and liquor store owners in making the transition to the use of the less wasteful returnable beverage container system.

Reduction of the Solid Waste Stream

A second purpose of this bill is to decrease the solid waste stream and thereby reduce the burden on the city's beleaguered solid waste collection and disposal system.

According to studies done by the Environmental Protection Agency (EPA) beverage containers alone account for approximately 7% of the total waste stream nationally, and they are becoming an increasingly large component of municipal waste. The EPA estimates that a national returnable beverage container regulation would result in a 65-75% reduction of that portion of solid waste and reduce the total municipal waste stream by 4-6%. During hearings in 1971, the spokesman for the D.C. Department of Sanitary Engineering estimated that a local returnable beverage container regulation could yield a minimum reduction of 2% in dry refuse and 11% in incinerator residue.

Tied to this question of solid waste management is the problem of litter. The Returnable Beverage Container Act would provide an incentive to reduce litter. Beverage containers comprise over 20% of the litter in the City, and it is one of the most visable and dangerous components. Giving the containers a monetary value of ten cents would encourage both adults and young people to pick up a returnable container for the deposit. There is no question that this regulation would actually reduce litter in our streets and alleys.

In Oregon the Allied Decision System Study made in 1974 revealed that the beverage container portion of litter has been reduced 66 percent since the passage of Oregon's "bottle bill." This translates into a 10.9% reduction in total litter. In Washington this would mean a 13.8% reduction in total litter. Furthermore, a reduction in this component of litter would mean a saving in the money spent on litter collection and disposal by the City... similar to the experience of both Vermont and Oregon. This last point cannot be over emphasized with the approach of the bicentennial celebration when great numbers of tourists will visit the nation's capital next year.

Conservation of Energy and Natural Resources

A third purpose is to conserve energy and natural resources. Refillable beverage containers provide an inexpensive and energy-saving alternative to the continued proliferation of energy wasting and resource consuming disposable beer and soft drink containers. The natural resource conservation aspect of using one glass container an average of ten times over rather than using a glass or metal container once is obvious.

The reuse of beverage containers would also yield energy saving dividends. EPA estimates that a refillable container making 10 trips (the national average for returnable beverage containers now in circulation) uses one-third of the energy that it takes to produce 10 one-way containers. On a national basis resumption of an all returnable beverage container system could almost immediately save an energy equivalent of nearly 5 million gallons of gasoline per day. Put in different terms the energy consumed in supplying the nation with beer and soft drinks in throw-away containers would supply all the electrical needs of Pittsburg, Washington, D.C. and San Francisco for one year.

Protection of Public Health and Safety

A fourth purpose of RBCA is to protect the public health, safety and welfare of District residents. Glass beverage containers left in streets, alleys, and playgrounds, if not shattered purposely, break with time, creating an obvious health and safety menace to people and pets. The "pop top" container is banned as a safety measure. The detachable piece, once discarded, poses a hazard to children playing in bare feet and pets because of its sharp edges. In addition, plastic beverage containers are prohibited because of the health threat posed by [illegible] of vinyl chloride and cyanide fumes when incinerated.

I feel that the Returnable Beverage Container Act of 1975 is an important and urgent piece of legislation. It provides a means for solving the City's chronic solid waste problem, conserves energy and natural resources and protects the public's health and safety. However, probably the most important immediate benefit is to increase jobs for D.C. residents while saving the District almost $10 million in capital expenditure. I urge all councilmembers to join me in co-sponsoring this bill.

A BILL

In the Council of the District of Columbia

Councilmember Hobson introduced the following bill which was referred to

To require a minimum refund of ten cents on all empty beverage containers.

Be it enacted by the Council of the District of Columbia, that this act may be cited as the "Returnable Beverage Container Act of 1975."

Sec. 2. It is the purpose of this act to-

(a) Establish a "conservation ethic" in the Nation's Capital visable during the bicentennial with strong incentives and to increase the number of jobs available for the residents of the

from the District of Columbia solid waste disposal facilities and further reduce the District's need to allocate funds for handling this class of refuse;

(d) Protect the public health, safety and welfare;

(e) Permit the public to participate in reducing the solid waste stream and enforcing the provisions of this act;

(f) Preclude the need for the District of Columbia to contract for the building of a resource recovery facility to extract bottles and cans from the District's solid waste stream.

Sec. 3. For the purposes of this Act, the following terms, words, and their derivations shall have the meaning given herein. When not inconsistent with the content, words used in the present tense include the future, words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) The term "Beverage" means carbonated, natural or mineral waters, soda water and similar carbonated soft drinks, and beer or other carbonated malt drinks, in liquid form and intended for human consumption.

(b) The term "Beverage container" means an airtight metal glass, paper or plastic bottle, jar, can or carton containing

(c) The term "Returnable beverage container" means a beverage container for which a minimum deposit of ten cents is paid upon purchase and for which a refund of equal value is payable, by any dealer upon return of said beverage container by the consumer and by the distributor upon return of said beverage container by the dealer.

(d) The term "Consumer" means any person who purchases a beverage in a beverage container for use or consumption, without intent to resell.

(e) The term "Dealer" means every person who engages in the commercial sale of beverage containers to a consumer.

(f) The term "Beverage vending machine" means a coin operated machine for selling individual beverages in beverage containers.

(g) The term "Distributor " means every person who engages in the sale of beverages in beverage containers to a dealer in the District of Columbia including any manufacturer who engages in such sales.

(h) The term "Manufacturer" means every person bottling, canning, or otherwise filling beverage containers for sale to distributors or dealers.

Sec. 4. Every beverage container in which beverages are sold or offered for sale in the District of Columbia after June 1, 1976 shall have a refund value of ten cents.

Sec. 5. The act stipulates

(a) A dealer shall not refuse to accept from a consumer after June 1, 1976, any empty beverage containers of the kind, size and brand of beverage sold by the dealer, or refuse to pay in cash to the consumer the refund value of a beverage container established pursuant to Sec. 4 of this act, if the empty returnable

beverage container is presented at the location at which the dealer sells or offers for sale such beverages in returnable containers to consumers.

(b) A distributor shall not refuse to accept from a dealer after June 1, 1976, any empty beverage containers of the kind, size and brand of beverage sold by the distributor, or refuse to pay in cash to the dealer the refund value of a container as established pursuant to Sec. 4 of this , if the empty beverage containers are presented at the time and location of any delivery of filled beverage containers by the distributor to the dealer.

Sec. 6 The act requires -

(a) All beverages dispensed in beverage vending machines after June 1, 1976 shall be sold in returnable beverage containers or paper cup machines.

(b) For returnable containers in beverage vending machine sales, dealers shall provide a means whereby the returnable containers of any kind, size and brand sold or offered for sale by him, may be returned for deposit. If the [illegible] offered at the site of the beverage vending machine, the dealer shall provide a means whereby the returnable containers may be conveniently stacked, should the consumer choose to forefeit the deposit.

Sec. 7. No person shall sell or offer for sale in the District of Columbia, after June 1, 1976, any metal beverage container so designed and constructed that a part of the container is detachable in opening the container

without the aid of a can opener.

Sec. 8. No person shall sell or offer for sale in the District of Columbia after June 1, 1976 any beverage container made of plastic designed for one way use.

Sec. 9. No distributor shall offer for sale in the District of Columbia after June 1, 1976, a beverage container that does not clearly indicate in a securely affixed manner the following information: (1) the beverage container is to be sold within the District of Columbia, and (2) the refund value of the beverage container in the amount specified in Sec. 4 of this act.

Sec. 10. Any person who violates any provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof before a court of competent jurisdiction, shall be fined in an amount up to $1,000 for each day of non compliance. Each day that such violation is committed or permitted to continue shall constitute a separate offense. In addition, thereto, the Mayor of the District of Columbia or his authorized representative, may inst an injunction or any other appropriate actions or proceeding for the enforcem of this Act in the Superior Court of the District of Columbia, which co [illegible] permanent injunctions or other appropriate forms of [illegible]

Sec. 11. Any person may commence a civil action on his own behalf -

(a) against any person (including the District of Columbia to the extent permitted by the Eleventh Amendment to the United States Constitution) who is alleged to be (1) in violation of any

requirement of this act or (2) in violation of any order issued by the Mayor with respect to any such requirement or (3) engaged in any act prohibited by this act; or

(b) against the Mayor where there is alleged a failure of the Mayor to perform any act or duty under this act which is not discretionary with the Mayor.

Any action under this section shall be brought in the Superior Court of the District of Columbia. The Superior Court of the District of Columbia shall have jurisdiction, without regard to the amount of controversy, or to enforce such a requirement, or such an order, or to order the Mayor to perform such act or duty, as the case may be.

(c) No action may be commenced under this section -

(1) prior to sixty days after the plaintiff has given notice of the violation (i) to the Mayor, and (ii) to any alleged violator of the requirements; or

(2) [illegible] a civil action in an appropriate court of the District of Columbia to [illegible]

Sec. 12. The provisions of this act are severable, and if any provision, sentence, clause, section or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this act or their application to other persons and circumstances.

It is hereby declared to be the legislative intent that this act would have been adopted if such illegal, invalid, or unconstitutional provisions, sentences, clauses, sections, or parts had not been included therein, and if the person or circumstances to which the act or any part thereof is inapplicable had been specifically exempted therefrom.

Sec. 13. This act shall be effective at the end of the 30 day period provided for Congressional review of acts of the Council of the District of Columbia in Section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

April 11, 1975

FOR RELEASE

CITY COUNCILMEMBERS ASK CHIEF CULLINANE TO CLARIFY REPORT ON POLICE INTELLIGENCE ACTIVITIES PRIOR TO BUDGET APPROVAL

Today Julius W. Hobson and other members of the City Council join in sending a memorandum to the Mayor requesting further information on the political surveillance activities of the D.C. Police Department by April 15, 1975.

Councilman Hobson expressed four major concerns about the report: general evasiveness in answering questions on police surveillance activities; the lack of even one instance of describing benefits derived from the non-criminal intelligence programs; the disparity in the money budgeted for political surveillance as opposed to that allocated to investigating organized crime and the possibility of criminality in actions taken by the Police Department as reported in a March 20, 1975 Washington Post interview with Inspector Albert W. Ferguson.

"In short," Mr. Hobson stated, "we are requesting a full report that will enable the City Council to exercise its responsibilities with respect to evaluating the Police Department budget and good conduct."

In addition Councilmember Hobson indicated that he has sent a letter to the U.S. Attorney for the District of Columbia, Mr. Earl Silbert, requesting his office to investigate the possibility of criminal violations by D.C. Police Officers based on the allegations made by Insepctor Albert Ferguson in the Post interview of March 20, 1975.

"We need to clarify once and for all whether the District's Police Department has been involved in the criminal abridgement of civil liberties." Hobson declared. "I expect both the Mayor and Chief Cullinane to cooperate. The City Council has the right to subpoena information and will not hesitate to do so if it comes to protecting the civil rights of the citizens of the District of Columbia and visitors to the Nation's Capital."

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

April 11, 1975

The Honorable
Mayor Walter Washington
The District Building
14th and E Streets, N.W.
Washington, D.C. 20004

Dear Mayor Washington:

This is to convey to you our concern that the report furnished to you by Chief Cullinane on March 7, 1975 on police intelligence activities, and in response to the questions set out in our memorandum to you of February 18, 1975, fails to furnish the information necessary to justify appropriations of funds for further support of non-criminal intelligence activities.

We have attached a report analysis, setting out in detail the inadequacies of Chief Cullinane's responses to our questions, and indicating the further information that needs to be furnished.

But apart from the individual items of information that were not furnished, we wish to express to you four overriding concerns about Chief Cullinane's report and other public disclosures of the political surveillance activities of the Police Department.

First, Chief Cullinane's report is evasive. Choosing to play it "close to the vest", he has placed distortingly narrow interpretations on each request for information, then responded in the most cryptic and generalized terms. We believe that evasion, non-responsiveness and obfuscation are inappropriate. The Chief of Police should accept the fact that he and the Department are accountable, and should answer our concerns and questions with the utmost detail and clarity.

We ask that you direct Chief Cullinane to prepare a report that supplies the information requested, that reflects an attitude of maximum disclosure, that opens the windows on the heretofore shadowy surveillance operations of the Police Department -- in short, a full report that will enable the City Council to exercise its responsibilities respecting the Police Department's budget and good conduct.

Second, Chief Cullinane's report offers not a single concrete instance of benefits from the non-criminal intelligence program. The report states, in vague terms, that the police were able to avoid loss of life and serious property damage during major demonstrations because the intelligence operation produced "concrete data" that permitted police planning and preventive actions. These vague statements, unsupported by any specific facts, stand in striking contrast to the twenty-one specific instances, listed in the report (Attachment M), in which intelligence activities with "crime-oriented objectives" resulted in effective law enforcement action against drug dealers, arms smugglers, fences, counterfeiters, burglars, etc.

As Chief Cullinane's report now stands, there is a complete lack of justification for funds for intelligence activities for non-crime related objectives.

Third, the report discloses that through 1973 the Police Department spent large portions of the total Department budget on investigating subversive activities, while, at the same time, spending very little on organized crime (Attachment L). This indicates so severe a misallocation of Police Department resources as to bring the judgment and priorities of the responsible officials into serious question. We, therefore, ask for a full and detailed explanation of the disparity between expenditures for organized crime and political surveillance, or, in the alternative, an acknowledgement of error and a specification of steps designed to ensure against such misallocation in the future.

Finally, a March 20, 1975, report in the Washington Post of an interview with Inspector Albert W. Ferguson attributes to him statements, among others, that: (i) a high ranking police official once proposed that the police burn a demonstration display; and (ii) police undercover informers receive "tax free" money from the Police Department. These statements indicate possible criminal actions, namely, solicitation to commit arson, and violation of federal tax laws. In addition, the failure of those with knowledge of these matters to report them officially and to initiate appropriate law enforcement and Departmental disciplinary action, also constitutes possible criminal conduct or breach of Departmental discipline.

Accordingly, we ask that you initiate an investigation, outside of the Police Department, to determine whether criminal and disciplinary offenses occurred in these two matters, whether there was complicity (through malfeasance or non-feasance) by high ranking Police Department officials, whether Chief Wilson or Chief Cullinane had knowledge, and whether Chief Cullinane initiated any action prior to or after the Post's March 20th report. At the same

time, we are asking the United States Attorney to investigate these two matters to determine whether criminal prosecutions should be instituted.

We ask a prompt response to the four requests in this letter and to the requests for information in the attached memorandum. We ask that these responses be received prior to April 15, 1975, the date of the first reading of the budget bill.

Sincerely,

Attachments

Julius W. Hobson
Councilmember Julius Hobson

Arrington Dixon
Councilmember Arrington Dixon

Sterling Tucker
Chairman Sterling Tucker

Councilmember Willie Hardy

Doug Moore
Chairman Pro tem Doug Moore

Jerry A. Moore, Jr.
Councilmember Jerry Moore

Marion Barry
Councilmember Marion Barry

Polly Shackleton
Councilmember Polly Shackleton

David A. Clarke (P.S.B)
Councilmember David Clarke

Councilmember William Spaulding

James E. Coates
Councilmember James Coates

John Wilson
Councilmember John Wilson

Nadine Winter
Councilmember Nadine Winter

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

# REPORT ANALYSIS

## POLICE INTELLIGENCE ACTIVITIES REPORT, MARCH 7, 1975

What follows is an analysis of Section VIII of Chief Cullinane's Report to you of March 7, 1975: "Response to Questions Posed in the Memorandum dated February 18, 1975 addressed to Mayor Walter E. Washington from City Council Members and entitled "Political Surveillance by D.C. Police Officers."

1A) Q. "Complete list of all persons... named in special non-criminal files."

A. "The major portion of such files has been destroyed..."

Analysis: This answer is not responsive and raises the following further questions:

If "the major portion" of these files have been destroyed, it follows that the balance must remain. How many remain?

Who do they identify?

Why were the officers who were interviewed (Cullinane Memo to Mayor Washington, March 7, 1975, p.1) not asked to recollect what information they could regarding the destroyed "major portion" of the files described? Why cannot they be asked now?

1B) Q. "Complete list of all persons subjected to other forms of surveillance and observation for non-criminal reasons, including...wiretapping and...other eavesdropping or recording devices..."

A. (In effect) The question is too broad to give complete answer. Police filmed or observed demonstration activities, some attended by up to 250,000 people.

"Records were kept of meetings to other events attended by (agents) of the Intelligence Division...(U)nder cover officials and special employees monitored various organizational meetings and in some instances joined the organization to facilitate the process. Undercover officers were assigned to various college campuses as full-time students. Activity reports were subsequently filed by all officers and special employees." Files since destroyed were kept on Fauntroy, Tucker, Barry, Hardy, Hobson and Moore.

Analysis: This answer is also evasively unresponsive and raises the following further questions:

Are there sections of films that show individual demonstrators? Were these films used in adding to individual dossiers? How many officers were assigned to undercover demonstration work and to filming demonstrations? At what cost?

What meetings did undercover agents attend? How many? What is the substance of the activity reports they filed? Where are the remaining activity reports? Who do these reports identify?

Which college campuses were infiltrated, and by whom? Who paid the tuition of the infiltrators? Where are their reports? Who do these reports identify?

What organizations were joined, and which were monitored by the Police Department? Supply a list of such organizations with a brief explanation of why each was selected for surveillance. Where are the reports filed on these organizations? Who was identified in these reports?

2. Q. ..."who actually authorized the surveillance of each individual listed above...? Provide all copies of documents and policy statements relating to authorization of political surveillance and monitoring as defined under Section One of this memorandum."

A. Former Chief Wilson or other government officials can "best" respond directly to this question. Documents and policy statements are attached as Attachments A,B,C,D,E,F, G, H and I.

Analysis: Again, evasion instead of a responsible answer:

a) As to responding "directly" to this question: Chief Wilson could not personally have supervised and carried out all the surveillance that occurred; other police officials and officers were involved:

Who are the other police officials?

Who are the other police officers?

Were they interviewed before the answer to this question was prepared? Who interviewed each such officer?

Were they asked who authorized their surveillance work?

Was former Police Chief Wilson interviewed in connection with the preparation of this answer? Was Assistant Chief Theodore R. Zanders interviewed?

Can it really be true that no one now in the Department knows "who actually authorized the surveillance"?

b) As to the documents and policy statements (Attachments A-I) they do not supply the information requested. They are merely Departmental memoranda on the organization of the Intelligence Unit and on policies and organization, with excerpts from federal and local law. This cannot be the full documentary record.

There is not a single word relating to a particular surveillance, a particular wiretap, a particular organizational infiltration. It is unbelievable that all particular orders issued pursuant to the policies embodied in Attachments A-I were issued orally.

Where are the orders (or applications) in the case of some wiretapping?

Who issued or authorized them?

Whom do they identify?

3. Q. (in relevant part) "What has happened to each of the files maintained for non-criminal reasons by the police intelligence program?... Were copies of the files given to other agencies?"

A. (in relevant part) "Beginning in March or April of 1974, a process to purge the non-criminal files of the Intelligence Division commenced. This is an ongoing process and the files have been reduced by approximately 80 percent at this writing." In part destroyed was:..."A large block of Intelligence Division files on organizations involved in various protest and demonstration activities. These files relate to the structure of the organization, activities engaged in, and reports on various meetings. This file is presently being purged and in all probability will be destroyed..."

"The Intelligence Division does not routinely forward information to other law enforcement agencies, however, it does respond to specific requests for information." (Emphasis supplied)

Analysis: There are three points to be made here:

a) 80% of what? 80% of the quantity of materials gathered, in terms of actual pages; or 80% of the number of files opened, without regard to the thickness of any one? Percentages aside, how many files, in actual numbers were destroyed? How many still exist?

b) What is the difference between "purging" a file and "destroying" it? Are the purged files retained? On what basis have the remaining files been maintained? Whom or what do they identify? Under what standards or guidelines do they retain relevance to law enforcement?

c) The question was whether copies of these files were given "to other agencies," not to other "law enforcement agencies." Were they given to non-law enforcement agencies such as the CIA, the DIA, the Civil Service Commission, other D.C. Departments and Agencies?

As to responding to specific requests for information from other law enforcement agencies: which agencies requested such information? What was given to the particular agency in response to such requests? How many such requests were there from 1967 to 1974? When the Police Department began destroying these files, did they request the agencies to whom they had disseminated this information to return the records? Under what authority or standards was the information disseminated to other law enforcement agencies?

4. Q. "Which demonstrators were denied permits because of information provided by the police intelligence program?..."

A. "There is no evidence to reveal that the Metropolitan Police Department has ever denied any person or group a permit due to information provided by the Intelligence Division or for any other reason..."

Analysis: What is the information in applications used for? What is the information in demonstrations used for? Are groups or demonstrations evaluated or characterized before or after a demonstration, and in what terms. List groups and/or demonstrations, with such evaluation or category.

List all demonstrations from 1967 to 1974 in D.C. in which the D.C. Police Department had responsibility for permits.

How many were anti-war or political demonstrations? Of these, how many were granted (a) two weeks before demonstration or more? (b) one week before or more? (c) less than a week but more than 3 days? (d) less than three days but more than 24 hours? (e) 24 hours or less?

What restrictions were placed on these as to size, route, place, time, other?

How many were non-political demonstrations? (e.g. Cherry Blossom festival). Describe time of granting permits in the same categories as above. Describe restrictions placed on these as to size, route, place, time, other, as above.

Supply copies of permits to document these answers.

5. Q. Total cost of ID non-criminal program. Total police officer hours involved. Justification of cost. Documents relating to intelligence program focus and goals. What otherwise unavailable information was obtained by political intelligence work?

A. Costs: See Attachments K and J for costs figures 1968-75.

Justifications: 1) D.C. Crime Commission recommended it, and D.C. government directed implementation of the recommendation. 2) "Valid strategic intelligence data would predict the size of demonstrations and probability of disorder and the degree of anticipated... the department would not have to overplan manpower reserves..." The Department's success in managing major demonstrations was "accomplished in large part because those involved in planning, and those who carried out those plans, were provided concrete data which facilitated the decision making process and maintained a balance of control (avoiding) overreaction or underreaction."

Documents: (None supplied.)

Other Sources of Information: "No one will never know what other sources would have produced."

Analysis: Costs: Attachment J "Allocation of Confidential Funds 1968-75," is all but unintelligible, and in any event does not appear to respond to the question of what the total costs of the ID non-criminal program has been; it speaks only to the allocation of "confidential funds" and apparently does not cover personnel costs or indeed other categories of expense.

The Attachment's basic flaw is that the numbers (other than the percentages) are incomprehensible.

For example, in fiscal 1972 "200.0" was "Appropriated," "197.0" was "Obligated," "5.4" was "Grant Funds," and "70.5" was the "Subversive Amount." What do these numbers mean? The percentage figures are also confusing.

For example, the 1972 "Subversive Amount" figure was "70.5" is listed as "35%" of the "Department Total." What "Department Total"? Of "Confidential Funds"? Of the entire departmental budget?

The only fact that does emerge clearly from Attachment J is that the "70.5" subversive amount figure was 100% of the funds allocated to the Intelligence Division, meaning that not one penny was spent on another of the Division's concerns, organized crime, in 1972.

The figures on Attachment K, "Distribution of Personnel and personnel costs of Intelligence Program 1968-75," are somewhat more illuminating. They show that in the '68-'75 period $2,341,000 were spent on personnel in the security investigation branch, while only $504,000 was spent on organized crime.1/

They further show that between 1968 and 1970 over $650,000 was spent on security investigation personnel while absolutely nothing was spent on organized crime personnel. In 1971 four persons became the nucleus of the organized crime staff, at a cost of $55,800, while the security investigations personnel costs in that same year jumped almost 28% to $353,600.

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1/ It appears that some of the "security investigation" personnel costs were not allocated to non-criminal investigations. Attachment L (which the main text of the Cullinane report mysteriously fails to mention at all) indicates that between 1968 and 1975, a total of $1,751,075 was spent on "non-criminal manpower" while $582,750 was allocated to "criminal manpower." Someone should explain the difference in this regard between Attachment K and Attachment L. Whichever figures reflect the actual facts, the imbalance of personnel costs between non-criminal and criminal intelligence operations remains gross and suggest utterly disordered priorities within the Department.

While this gross imbalance was somewhat rectified in succeeding years, the fact remains that in 1975 well over half of all Intelligence Division personnel costs are attributable to security investigations ($207,352 compared with $147,724 for the Organized Crime Branch and $47,024 for the Special Officer Branch, which does such things as investigate applications for licenses of detective agencies).

One must ask who set or sets these priorities, and after what kind of analysis and consultation?

Justifications:

(a) D.C. Crime Commission Report: Chief Cullinane's report relies heavily in this answer in its very opening pages on the fact that the D.C. Crime Commission noted the fact of potential domestic violence and disturbances in the 1960's. This seeming endorsement, by the Crime Commission, of political surveillance; is disingenuous. In the 41 recommendations made by the D.C. Crime Commission on the operations of the Metropolitan Police Department (Chapter 4, President's Commission on Crime in the District of Columbia, pages 142-229) not a single one is a recommendation for the establishment of an Intelligence Unit. The Commission appeared more concerned with organized crime, particularly as it bore on hard drug usage and crime related thereto.

(b) National Advisory Commission on Civil Disorders:

Chief Cullinane's report also relies on the National Advisory Commission's report to justify political surveillance (Cullinane Report, p.4) quoting this Commission's recommendation for creation of an undercover unit. This is similarly taken out of context.

The recommendations in the National Advisory Commission Report in chapters 11 and 12 are devoted to easing police-community tensions in the ghetto, and are in the specific context of unplanned eruptions in high-tension areas.

A summary of some of these 14 recommendations in these two chapters establishes that context:

*Ensure proper conduct by police officers and eliminate abrasive practices in the ghetto.

*More adequate police protection to ghetto residents.

*Fair and effective mechanisms for the redress of grievances against the police.

*Recruit more Negroes into the police force and ensure fair promotion for Negro officers.

*Develop continuing contacts with ghetto residents to make use of the forces for order which exist.

Neither the recommendation quoted by Chief Cullinane, nor any of the others has anything to do with peaceful, legal pre-planned demonstrations. No social alchemy can transmute the call for information about potential domestic violence into a justification for political surveillance of peaceful protest.

(c) The report states that the police were able to avoid loss of life and serious property damage during major demonstrations because intelligence work produced "concrete data" permitting prophylactic police action. What "concrete data?" Not a single illustration is offered. This omission becomes the more notable in view of Attachment M, "Accomplishments of Intelligence Division as result of crime-oriented objectives," which recites some 21 situations in which as a result of intelligence work the law was effectively enforced against drug dealers, arms smugglers, fences, call girls, counterfeiters, burglars and persons illegally possessing firearms. Where are the parallel successes in the area of non-criminal intelligence?

Documents: The answer supplies none of the requested documents "relating to the police intelligence program focus and goals," and refers to none. If this means that all necessary documents have already been supplied under Attachments A-I, that is an inadequate response for the reasons set forth above in the Analysis to Question #2. If it means that the authors of the report choose to ignore the inquiry, the act of ignoring should itself be inquired into.

Other Potential Sources of Information: The answer here--that "one will never know what other /non-intelligence/ sources could have produced" -- amounts to a baldly unapologetic admission that the police do not bother to seek information in ways other than by infiltration, eavesdropping, wiretapping, secret filming and similarly covert monitoring. In an age when the Constitution is understood to compel the government to employ "the least drastic means" and "the least restrictive alternative"1/ in seeking information, lest First Amendment freedoms of speech and association be compromised and chilled, such an admission shows an appalling lack of devotion to preservation of civil liberties.

1/ See, e.g., NAACP v. Alabama, 357 U.S. 449 (1958); Shelton v. Tucker, 364 U.S. 479 (1960).

GOVERNMENT OF THE DISTRICT OF COLUMBIA

CITY COUNCIL

WASHINGTON, D.C. 20004

April 11, 1975

Honorable Earl Silbert
United States Attorney
for the District of Columbia
United States Court House
Third and Constitution Avenue, N.W.
Washington, D.C. 20001

Dear Mr. Silbert:

On March 20, 1975, the Washington Post carried a front page story of an interview with Inspector Albert W. Ferguson of the Metropolitan Police Department, in which he was quoted as stating that a high ranking police official proposed burning a parade float belonging to a group of demonstrators (copy enclosed).

We ask that your office consider whether any criminal laws were violated either by the proposal being made or by the failure of those who knew of the proposal to report it or take other appropriate actions, and, if so, fully to investigate the matter.

In addition, Inspector Ferguson is quoted as stating that undercover informers paid by the Metropolitan Police Department could clear "a couple of hundred dollars a week tax free" from each agency for which they were working. This statement, if true, indicates possible complicity by police officials in violation of the tax laws, including but not confined to those laws requiring persons paying wage earners or others to file appropriate reports with the Internal Revenue Service. In addition, there may be a violation of the criminal laws by those who knew of such violations and failed to report them or take other appropriate action. We ask that the matter of possible violations of the tax laws also be fully investigated by your office, or referred to the Justice Department for investigation.

Please inform us: (i) whether your office or the Justice Department will undertake the two investigations requested, (ii) approximately how long the investigations will take, and (iii) the results of the investigations.

We appreciate your cooperation in looking into this matter.

Sincerely,

Julius W. Hobson

Julius W. Hobson
Councilmember-at-large

Enclosures

cc: Mayor Walter Washington
All City Council Members

POST A1 Mar. 20, 1975

# FBI Acted to Disrupt Left

## *Socialists Targets*

By Lawrence Meyer
Washington Post Staff Writer

The FBI took actions "designed to cause disruption in the peace movement, primarily in the New Mobilization to End the War in Vietnam," according to FBI documents released as the result of a federal court ruling.

The FBI's activities to disrupt the antiwar movement were revealed in documents involving the Socialist Workers Party (SWP). The documents comprise more than 3,000 pages of FBI reports and memoranda—including many to and from the late FBI Director J. Edgar Hoover—concerning the bureau's counterintelligence program (called Cointelpro) against the Trotskyite party.

The Cointelpro activities against the SWP were initiated in 1961 by a memo from Hoover to the FBI's New York field office as well as to others across the country.

Although the current FBI director, Clarence M. Kelley, asserted last November that all Cointelpro activities were ended in April, 1971, SWP officials charged yesterday that the FBI still is trying to disrupt the party's activities.

An FBI spokesman, however, reiterated Kelley's statement last November that Cointelpro activities ceased in 1971. He declined to respond to allegations by the SWP members of specific instances where the activities have continued. "This is something in litigation," FBI spokesman

See FBI, A16, Col. 1

## *D.C. Police Acts Cited*

By Paul W. Valentine
and Robert H. Williams
Washington Post Staff Writers

A high ranking metropolitan police official urged burning a giant paper-and-wood float of the radical Yippie organization to thwart its demonstration plans against the 1973 inaugural parade of President Nixon, according to a former police intelligence official.

"But I said, 'No way,'" recalled Insp. Albert W. Ferguson. The high ranking official lost.

The Jan. 20, 1973, demonstration went off as scheduled, complete with the Yippies' float depicting a gargantuan rat with the face of Nixon.

Ferguson would not name the official, although he said it was not Jerry V. Wilson, police chief at the time.

Ferguson described this and other police intelligence activities—including the renting of a hippie commune, intercepting plans for antiwar marches, and searching through a local "think-tank's" trash—in a series of rambling interviews about his leadership of the D.C. police intelligence division in 1973.

The police department has come under public criticism for collecting thousands of unevaluated files on political activists and organizations during the urban riots and antiwar demonstrations of the late 1960s and early 1970s.

Police Chief Maurice J. Cullinane in a recent report described many operational details of the intelligence division, including the use of CIA radios, cars and driv-

See FERGUSON, A9, Col. 1

ers, and ordered guidelines tightened in the division.

Ferguson described these other activities:

• Police rented a hippie commune apartment through a paid informant for $200 a month. Antiwar activists often met there to discuss demonstration plans, which were then passed on to police by the informant.

• Two or three informants penetrated to the "planning levels" of major antiwar organizations and relayed precise plans for marches and rallies to police.

• Undercover police regularly inspected the trash of of the Institute for Policy Studies, an independent public policy research center that police say drew radical activists during the antiwar movement. The trash was obtained through "an arrangement with the trash company" responsible for the institute's building, Ferguson said. Nothing of significance was discovered, he said.

• The department sent undercover police officers to observe demonstrations at the Democratic National Convention in Chicago in 1968 and at Republican and Democratic conventions at Miami Beach in 1972.

• D.C. police alerted New Jersey authorities just prior to the 1973 Nixon inaugural parade to stop a Washington-bound truck loaded with two cases of oven spray and a quantity of piano wire to be used presumably to disable foot police and interfere with scooter officers during demonstrations.

In the Yippie rat float incident, Ferguson said the demonstrators had parked the 25-foot-long apparatus next to a house on Capitol Hill the night before the demonstration.

"One high official wanted to go down there that night and burn it," Ferguson recalled, but Ferguson counseled against it.

Besides the questionable legality of the act, he said, a fire might have spread to the adjacent house. Also, he said, he was concerned that destruction of the float might trigger violent reaction by the Yippie demonstrators.

Throughout the interviews, Ferguson stressed the intelligence division's preoccupation with second guessing the moves and attitudes of antiwar leaders.

"There was constant fighting among the leaders . . . you know, the hot heads and the moderates," he said. "We were interested in who won out. . . . We were behind the moderates because they were easier to control."

The dependability of informants — he called them "snitches" — varied widely. Some produced solid, precise data on demonstration plans and logistics so that police could plan their own manpower deployment accordingly, he said. Other informants produced "garbage" — wrong information or material already disseminated in press releases and other public documents.

ALBERT W. FERGUSON
. . . opposed burn-out

He spoke of two former public informants who have been identified in previous news accounts: Ann Kolego and Earl Robert Merritt.

"Annie really had a good disposition" for undercover work and had been at it "since she was 16 or 17," Ferguson said. She was known in the street as "Crazy Annie." Explained Ferguson: "Her cover was to act a little goofy."

Merritt, on the other hand, "was bringing garbage in," Ferguson said. Merritt was assigned to infiltrate the Institute for Policy Studies "but was bringing back pamphlets, handouts . . . nickel-and-dime stuff."

Ferguson said some snitches were "real sophisticated . . . working for two or three different (law enforcement) agencies. If they played it right, he said, they could clear "a couple of hundred dollars a week tax free from each agency."

Informants went to the Republican and Democratic national conventions in Miami Beach in 1972, he said, as part of their cover, since they were associated with specific antiwar groups and were expected to go. Informants went to Chicago in 1968, he said, primarily to observe crowd-police actions.

In the long run, Ferguson said, D.C. police intelligence activities have been justified, even though much useless and unnecessary information was collected.

While the bulk of the antiwar movement consisted of peaceful people with good intentions, he said, "I think some of the leadership was definitely communist, and they were playing on the issue of an unpopular war."

Violent elements among such organizations as Students for a Democratic Society (SDA) and the Weather Underground came to the demonstrations, he said, taking advantage of peaceful protesters, hoping to trigger violence by provoking the police and thus discrediting the establishment.

"They were trying to penetrate the legitimate peace groups," he said, thus making surveillance of the antiwar movement as a whole necessary.

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

Contact: Paul "Sandy" Brown
Council Extension: 72 or 73

FOR IMMEDIATE RELEASE

HOBSON BACKS "RALLY FOR JOBS NOW"

Councilmember Julius W. Hobson announced today his support of the "Rally for Jobs Now" demonstration to be held in Washington, D.C. on April 26, 1975. Sponsored by the National Coalition to Fight Inflation and Unemployment, the March seeks to focus attention on the economic problems which face the Nation and the District of Columbia and demand that the local and federal governments provide jobs for the unemployed.

"I am particularly concerned about the plight of our unemployed youth, " Hobson declared. "With the unemployment rate for people under 25 living in the District fixed at 22% and the jobless rate estimated to be as high as 65% for Black and other minority youths, it is incumbent upon the Federal and District Government to make every effort to provide jobs for the youth. I wish to express my support and endorse the purposes of this rally."

Council of the District of Columbia
News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE

May 13, 1975

HOBSON ENDORSES THE MAY 17 MARCH ON BOSTON

Councilmember Julius W. Hobson announces his support for the May 17th march on Boston in support of school desegregation there. Sponsored by the NAACP nationally and locally by the D.C. Area Student Coalition Against Racism, the march seeks to dramatize the existence of de facto segregation in Boston's public schools and bring about its end.

"Separate but equal educational facilities are inherently unequal," declared Mr. Hobson. "It is significant that the march will take place on the 21st anniversary of the Brown versus the Board of Education decision of the Supreme Court. I endorse both the principle and purpose of the May 17th march on Boston to bring about equal educational opportunities for all."

B 1-44

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE

HEARINGS ON D.C. PUBLIC SCHOOLS

Councilmember Julius W. Hobson, Chairman of the Committee on Education, Recreation, and Youth Affairs will hold a series of hearings to identify issues which impact on the successful administration of the public school system and quality education, pursuant to Council Act 1-13, enacted on May 6, 1975.

Public testimony is solicited on management/administrative issues in the public schools, problems which inhibit the academic achievement of students such as truancy, or any other questions which citizens feel that the Committee should consider. Later hearings will focus on specific issues to be identified through this initial public forum; expert testimony in these later hearings will be the basis for the development of legislative proposals designed to enhance quality public education.

A preliminary hearing will be held on May 23, 1975 at 10:00 a.m. and 2:00 p.m. in Room 500, Council Chambers, District Building, 14th & E Sts., N.W., Washington, D.C. Persons wishing to testify should call Ms. Alice Blue at 638-2223 before 5 p.m. on May 22, 1975.

# Council of the District of Columbia
## Notice of Public Hearing

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

HEARINGS ON THE ORGANIZATION AND ADMINISTRATION OF THE DISTRICT OF COLUMBIA PUBLIC SCHOOLS AND THE BOARD OF EDUCATION

Friday, May 23, 1975

10:00 a.m. and 2:00 p.m.
Council Chambers

Councilmember Julius W. Hobson, Chairman of the Committee on Education, Recreation, and Youth Affairs, pursuant to Act 1-13, will hold a series of public hearings to receive testimony "concerning the enactment of legislation, pursuant to section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act to alter the independent status of the District of Columbia Board of Education and to effect certain changes in the organization and administration of the public schools in the District of Columbia".

The Committee is requesting public testimony to identify issues to be explored in later hearings, through expert responses to specific issues designated by the Committee. Such expert testimony will form the basis for the development of a legislative program designed to facilitate the optimal operation of the public school system and to assure quality education for all students. Hearings on specific issues, identified in this preliminary hearing, will be scheduled at a later date.

In this preliminary hearing, public witnesses are asked to address one or more of the following issues: (1) existing laws, regulations, or procedures which impact on the efficiency of the management/administration fiscal/process of the public schools, such as fiscal management/accounting systems, school-level budgeting, and management information

J-3172-75

systems; (2) problems which inhibit the academic achievement of students, such as administrative procedures for handling truancy, lack of discipline, and insufficient community participation; (3) lack of clarity of the roles of the Superintendent, Mayor, Board of Education and Council of the District of Columbia; or (4) any other pertinent issues which citizens feel the Committee should consider. Mr. Hobson requests that, in considering these issues, statements be restricted to assessments of current problems and the potential impact which any legislative proposals will have on the District of Columbia's public educational system.

These hearings have been scheduled for 10:00 a.m. and 2:00 p.m. on May 23 and May 24, 1975, in the Council Chamber, Room 500 of the District Building. Persons wishing to testify should call Ms. Alice Blue at 638-2223 before 5:00 p.m. on May 22, 1975. Written statements for the record are encouraged and may be sent to Mr. Robert Williams, Secretary to the Council, Room 509, District Building, 14th and E Streets, N.W., Washington, D.C. 20004.

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

May 21, 1975 FOR IMMEDIATE RELEASE

POSTPONEMENT OF THE PUBLIC HEARING
ON THE DISTRICT OF COLUMBIA PUBLIC
SCHOOLS AND THE BOARD OF EDUCATION
Friday, May 23, 1975

Councilmember Julius W. Hobson, Chairman of the Committee on Education, Recreation and Youth Affairs, announces the postponement of the hearing on the organization and administration of the District of Columbia Public Schools and the Board of Education, scheduled for Friday, May 23, 1975 at 10 a.m. and 2 p.m.

The Counsel of the Council of the District of Columbia has had insufficient time to complete thorough legal research on the multifaceted question of the authority of the Council in the area of education. In the absence of this research and with the pendency of the uncertain climate regarding the evaluation of the Superintendent, it is the judgement of the Chairman of the Committee on Education, Recreation and Youth Affairs that a rational discussion of the stated agenda would not ensue.

For further information contact: Ms. Patricia Miner, 638-2223.

# Council of the District of Columbia

## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

RECEIVED
JUL 23 1975

July 21, 1975

FOR IMMEDIATE RELEASE

HOBSON INTRODUCES ARCHITECTURAL BARRIERS ACT OF 1975

Thank you very much for coming today. Close to 15 % of all Americans have some form of permanent physical disability. In the District of Columbia alone there are more than 50,000 citizens who are physically handicapped and between 75,000 and 100,000 elderly people. They make valuable contributions to the life in the District and they play a significant role in the city's economy.

Most buildings and facilities in the District used by the general public cause great difficulty for the physically handicapped, the aged and pregnant women because they fail to provide proper access and use. Architectural barriers hinder those who have physical limitations from becoming involved in the ordinary endeavors of education, employment and recreation.

To begin alleviating this situation I am introducing the Architectural Barriers Act of 1975 at the next legislative session of the Council on Tuesday, July 22, 1975. This bill would amend the District of Columbia Building Code and require that all new buildings and facilities designed for public use, and all major reconstructions of existing buildings be free of architectural impediments which hinder those with physical limitations. The legislation would provide that features such as main entrances free of steps or other obstructions, doorways and corridors wide enough to accomodate persons in wheelchairs, restrooms accessible to handicapped persons, elevators which can easily accomodate people in wheelchairs and sidewalks that blend to a common level with driveways, streets and parking lots be incorporated into the design of all new buildings and facilities used by the public.

Passage of the Architectural Barriers Act of 1975 would be an important first step in making buildings and facilities in the Nation's Capital accessible to all citizens and enable those with physical limitations to participate fully in the activities of daily living.

* * * * * * *

For further information contact:
Mr. Sandy Brown, D. C. City Council (638-2223)

B1-44

3850 Tunlaw Road, N. W.
Washington, D. C. 20007

September 5, 1975

Ms. Polly Shackleton
D. C. City Council, Room 527
Fourteenth and E Streets, N. W.
Washington, D. C. 20004

Dear Ms. Shackleton:

I am presently a resident of Ward 3. I am writing this letter in hopes that you will vote in favor of the passage of Bill #1-44.

I strongly support the full legalization of marijuana, however, I realize that that type of reform is a long time in coming. It is with this realization that I urge you to support the decriminalization of the present marijuana laws.

The immense amount of time and city funds that is spent in the arrest and prosecution of persons in violation of the present laws could be better spent in many areas where there is greater need.

Again, I strongly urge you to support the pending legislation on the decriminalization of the marijuana laws. I will be looking forward to your "yes" vote on October 7.

Your consituent,

Anne E. Ohm

Anne E. Ohm

cc: M. Barry
J. Hobson ✓
D. Moore
J. Moore
S. Tucker

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE September 8, 1975

COUNCILMEMBER JULIUS HOBSON URGES CONGRESSIONAL LEADERS TO OVERRIDE PRESIDENT'S VETO OF THE EDUCATION APPROPRIATION BILL

Councilmember Julius W. Hobson, Chairperson of the Committee on Education, Recreation and Youth Affairs urged leaders of the House of Representatives to override President Ford's veto of the $7.9 billion dollar Education Division and Related Agencies Appropriations Bill.

If the President's veto is sustained, the District of Columbia Public Schools would lose over $6.5 million dollars in federal educational grants. They will be affected by cuts in the areas of Handicapped Education, and Vocational Education, and particularly in emergency school aid. Impact Aid, which provides funding assistance to school districts which serve children of federal employees, would be totally eradicated; the District of Columbia's share would be reduced from the proposed $6 million in H.R. 5901 to the President's figure of zero. Projections received from the Superintendent of Schools indicate that the impact of these reductions would be an estimated 350 positions and the curtailment of necessary services.

In addition to the aforementioned cuts, the impact of the President's veto on higher education grants and library service and construction grants has not been estimated.

The potential loss to the students and other citizens of the District of Columbia would be disastrous.

Council of the District of Columbia
News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

# HOBSON AND CLARKE TAKE ACTION TO DISCHARGE BILL TO REPEAL FUNERAL DIRECTORS RIDER

FOR IMMEDIATE RELEASE

For Further Information, contact:
Paul "Sandy" Brown, Ext. 40

Councilmembers Julius W. Hobson (S-At Large) and David A. Clarke (D-One) today took the first steps to move to discharge from the Committee on Government Operations of the Council of the District of Columbia Bill No. 1-168 which would, if enacted, repeal the rider to the District of Columbia Boxing and Wrestling Commission act. The rider, which would have provided for morticians from other jurisdictions to be licensed in the District of Columbia regardless of courtesies afforded District of Columbia morticians in those jurisdictions, was passed as part of the Boxing and Wrestling Commission act on June 17, 1975 without the knowledge of many of the councilmembers who considered the bill to be a routine matter dealing with boxing and wrestling.

Hobson and Clarke indicated their concern that members of all professions in the District of Columbia be afforded the same courtesies in other jurisdictions as the District afforded members of those professions

more

here. They noted that the chairman of the District of Columbia Board of Funeral Directors and Examiners has indicated that, since the passage of the rider, over 300 inquiries have been received with respect to information regarding the procedure to secure a license under the rider.

Hobson and Clarke noted that their feelings in this regard were not limited to funeral directors but extend to all professions and Clarke emphasized his concern that members of the legal profession be accorded the same courtesies in other jurisdictions as those jurisdictions afford District of Columbia attornies but indicated that the Home Rule Act prohibits the Council from legislating to assure that end. (Section 602(a)(4) of the Home Rule Act prohibits the Council for enacting any action with respect to Title 11 of the D. C. Code, and the matter of the admission of persons to membership in the District of Columbia Bar is governed by rule of the District of Columbia Court of Appeals pursuant to Title 11, Section 2501(a) of the Code.)

Noting reports that the repeal bill had been tabled in committee out of concern as to what effect it might have in Congress on the Revenue act, the two

councilmembers expressed their concern that the Council consider legislation on the basis of its merits and not on the basis of any feelings such legislation might engender in the Congress. They said that they had no objection to any member of Congress lobbying for or against a matter pending in the Council and further indicated that they indeed expected Congresspeople to make such statements rather than to seek original congressional action on a local matter or try to work their way during review. However, they said that the Council's ultimate responsibility was to its constituents and that they felt that, as the rider was not good legislation, the repeal thereof should not be rejected merely because of the fear that such action might have adverse affects upon other legislation pending before Congress for review. They felt that the vast majority of the Congress would expect them to do what they felt was best for the city.

The councilmembers have asked that a motion to discharge the repeal bill from the Committee on Government Operations be scheduled during the Council's next legislative session, October 7, 1975. Such a

repeal motion would necessitate a majority vote to pass and, if passed, the repeal bill would then be voted upon by the Council.

FOR IMMEDIATE RELEASE October 3, 1975

HOBSON WANTS COMPETITIVE BID FOR $9.6
MILLION CAPITAL OUTLAY

Councilman Julius W. Hobson (Statehood at-Large) announced today that he is introducing a resolution at the Council's October 7th Legislative Session to disapprove the expenditure of $9.6 million to build a resource recovery facility at Lortin, Virginia for FY 1976.

Under the Budget Act approved by the City Council last spring, at the initial request of Councilman Hobson the Mayor and the Department of Environmental Services were directed to consult with the Federal Energy Administration and the Environmental Protection Agency on the most cost effective resource recovery facilities available. They were also directed to obtain assurances that the District was examining solid waste disposal as an entire system and report back to the Council within 90 days for legislative action.

"Based on the report submitted to the Council by the Department of Environmental Services on September 15, I do not feel that other resource recovery systems were adequately explored," Hobson explained. "The report failed to explain why experienced firms such as Raytheon, Monsanto, Wheelabrator-Frye, and Union Carbide were not invited to present proposals for the feasibility study of the potential for actual recovery of resources."

The D.C. Auditor has confirmed today that there was no competition for the NCRR work which formed the basis for the $9.6 million budget request. Furthermore, Mr. Watson suggests that there is still "a question as to whether NCRR could continue to comply with its covenant (conflict of interest) due to its relationship with the beverage industry which may have an interest in recovery of beverage container materials." Therefore the City Council has no alternative but to return immediately to the drawing board on this issue.

Other factors which contributed to Hobson's opposition were outlined in a memorandum to Council members dated October 3rd.

Mail Routing Slip

Date: _____

To: Councilmember Julius Hobson

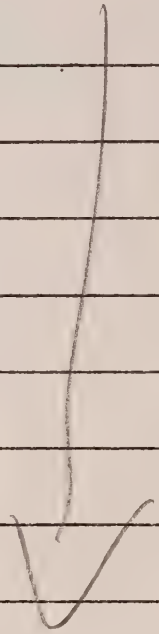
Comments: _____

) _____

Pat Miner: _____

Lou Aronica: _____

Sandy Brown: _____



Lorraine McCottry: You need a colon after Ms. Ohm

Alice Blue

October 8, 1975

Ms. Anne E. Ohm
3850 Tunlaw Road, N.W.
Washington, D.C. 20007

Reference: Bill #1-44 "Marijuana Reform Act of 1975"

Dear Ms. Ohm?

Thank you for the copy of the letter to Councilmember Polly Shackleton concerning legislation currently pending before the Council of the District of Columbia.

Yesterday, Bill #1-44 was adopted with amendments on first reading by a vote of 8-4- 1prs.

Sincerely,

Julius W. Hobson
Councilmember at Large

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Govemment Code 137-3806

FOR IMMEDIATE RELEASE

November 19, 1975

EPA CLARIFICATION ON D.C. RESOURCE RECOVERY ? ?

On November 6, Councilman Julius W. Hobson asked the Adminisrator of the Environmental Protection Agency, Mr. Russell Train, for clarification -- or a new direction -- on a proposed D.C. resource recovery system. The Mayor requested $9.6 million in the FY 1976 capital budget for construction of a resource recovery facility based on a study done by the National Center for Resource Recovery (NCRR) prior to the elected City Council. Councilmembers questioned this facility because of EPA's concerns, underestimated costs, reports that no competitive bid process had been involved in the study and because NCRR may have been in "conflict of interest."

"The November 18, answer from Russell Train, stating EPA's position, is still perplexing," Hobson stated. "On page one, Administrator Train suggests it is not necessary to return to the 'drawing board' while on pages 2 and 3, he seems to contradict this observation by stating:

- 'On the other hand, we think that it is always prudent to consider other options even while one pursues a chosen course of action and the District of Columbia may want to explore the opportunities for the application of waterwall incineration while negotiating with PEPCO. If a firm commitment from PEPCO for purchase of RDF is not established, a different system will have to be considered and early exploration will help keep your efforts moving.'

- 'It is essential, that the District's next step should be to obtain commitments from potential energy customers.'

- 'Again, we advise the District of Columbia not to initiate steps to construct any facility until that firm agreement is reached with PEPCO.'

- 'Let me assure you that you are basically correct in your comments concerning the proper approach to implementing a resource recovery system. This should involve:

(over)

1. an analysis of the resource recovery systems that are available and the products and commodities that can be recovered;

2. an assessment of the potential markets for recovered commodities and the establishment of market specifications and commitments to purchase such commodities; and,

3. design of the facility around the market commitments.'

- 'In addition, we advise all cities to secure their consultative services through the accepted methods which are recommended by progressive engineering organizations and other groups which represent other professions. Qualified objective consultant services would have used the above steps in leading the District of Columbia to this point in the resource recovery program.' "

"Since my letter of November 6 indicated that I would withdraw my resolution calling for the disapproval of the $9.6 million only if Mr. Train would approve the NCRR facility," Hobson declared, "I have to assume EPA still has reservations since Mr. Train's letter did not clearly endorse the proposal nor did it address the issue of the returnable beverage container legislation now pending before the City Council. I will continue to oppose the $9.6 million expenditure unless Mr. Train notifies me to do otherwise and will recommend that the other members of the City Council do likewise."

Attachments

For further information, contact Paul "Sandy" Brown
638-2223

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

NOV 18 1975

THE ADMINISTRATOR

Dear Mr. Hobson:

This is to respond to your letter of November 6, 1975 concerning EPA's continued views on the "I-95" project. As you indicated, our Office of Solid Waste Management Programs (OSWMP) has corresponded formally with the District of Columbia twice over the past few months with advice and counsel regarding the project. Your letter of November 6 indicated a concern that our views stated in the two letters were not consistent and that we may have shifted our views regarding the project in the time between the two letters. We feel that the two letters are consistent and would like to clarify this issue.

On June 18, 1975, Mr. Arsen J. Darnay, former Deputy Assistant Administrator for the Office of Solid Waste Management Programs, raised serious questions about the proposed system. Between that time and our second letter of October 17 from Mr. Humber, the District of Columbia has itself shifted the orientation of the project in a direction which is more consistent with our views of June 18. Hence, the tone of our October 17 letter is naturally more positive. However, a close reading of that second letter clearly indicates that we still have concerns about markets and costs and we continue to urge the District of Columbia to proceed cautiously and in a businesslike manner.

In your letter you mentioned your proposal before the City Council which "would require the District Government to go back to the drawing boards." If you are proposing that the District of Columbia redo all of the work that has been conducted over the past eighteen months, we would advise against such an action. Very little would be gained at this time by such a move. Further, we understand that your proposal calls for a feasibility study to consider all options as well as an assessment of all potential energy markets. Given the fact that a shift in orientation from a project to recover materials using unproven technology to one to recover energy from waste has occurred, we do not think that it is necessary for the District of Columbia to return to ground zero and start all over again.

At this time, waterwall incineration to produce steam and/or electricity is another commercially available waste-to-energy option. While our review has focused on the I-95 feasibility study for the refuse derived fuel system, it is our understanding that waterwall incineration was considered by the I-95 Committee prior to the feasibility study. Other processes such as pyrolysis and anaerobic digestion to produce fuels are in the earlier stages of development and require further demonstrations, evaluation and analysis before being readily available to cities. Installation of these latter processes involves a higher degree of risk at this time. Thus, in our opinion, restudying all waste-to-energy ~~technological~~ options is not necessary.

On the other hand, we think that it is always prudent to consider other options even while one pursues a chosen course of action, and the District of Columbia may want to explore the opportunities for the application of waterwall incineration while negotiating with PEPCO. If a firm commitment from PEPCO for purchase of RDF is not established, a different system will have to be considered and early exploration will help keep your efforts moving.

Our letter of June 18, expressed concern that the feasibility study conducted by the National Center for Resource Recovery (NCRR) for the Metropolitan Washington Waste Management Agency did not assess the potential energy markets for the combustible waste fraction, but rather the study was oriented towards markets for recovered materials such as aluminum, steel, glass and paper. As stated in that letter, we continue to believe that: "It is essential, that the District's next step should be to obtain commitments from potential energy customers."

Since that time, we have been pleased to see a reorientation of the project towards the more viable market opportunities and systems technology of waste-to-energy. We still believe that the District of Columbia can proceed to develop plans while negotiating a firm agreement with PEPCO. Again, we advise the District of Columbia not to initiate steps to construct any facility until that firm agreement is reached with PEPCO. Furthermore, as we have indicated previously based on the amount of engineering that was performed in the feasibility study, final construction costs could be higher than the $9.6 million estimate. Only after the design becomes more detailed will it be possible to firm up the cost estimate.

Let me also assure you that you are basically correct in your comments concerning the proper approach to implementing a resource recovery system. This should involve:

1) an analysis of the resource recovery systems that are available and the products and commodities that can be recovered;

2) an assessment of the potential markets for recovered commodities and the establishment of market specifications and commitments to purchase such commodities; and,

3) design of the facility around the market commitments.

In addition, we advise all cities to secure their consultative services through the accepted methods which are recommended by progressive engineering organizations and other groups which represent other professions. Qualified objective consultant services would have used the above steps in leading the District of Columbia to this point in the resource recovery program. We believe that future studies and efforts in the District of Columbia related to solid waste management should utilize these procedures.

I hope that this clarifies our position and assists in your decision making process.

Sincerely yours,

Russell E. Train

Russell E. Train

Mr. Julius Hobson
Councilmember-at-Large
Council of the District of Columbia
Washington, D.C. 20004

cc: Mr. William C. McKinney

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
Councilman at Large

November 6, 1975

Honorable Russell E. Train
Administrator
U.S. Environmental Protection Agency
Room 1200 - West Tower
401 M Street, S.W.
Washington, D.C. 20460

Dear Mr. Train:

I am writing to you because of my confusion over the Environmental Protection Agency's position on a proposed refuse recycling system for the District of Columbia. As you remember last April 28, 1975, I requested that your agency review the economic feasibility study done by the National Center for Resource Recovery (NCRR), which formed the basis for the proposed regional resource recovery facility, so that the City Council would have a better idea of the project's strengths and weaknesses as well as its compatibility with a returnable beverage container bill which I have submitted to the Council.

In response, Mr. Arsen Darnay, your Deputy Assistant for Solid Waste Management, raised some very serious questions about the NCRR plan in a letter dated June 18, 1975. Among other things Mr. Darnay expressed concern over the possibility of large cost-overruns in construction and operation and many unresolved design questions. In particular, he noted that the NCRR plan lacked water treatment facilities, fire control systems, storage areas for refuse derived fuel (RDF), dust control systems, and necessary redundancy. Mr. Darnay emphasized that any resource recovery facility should be designed around a firm energy market. He pointed out that the NCRR study "presents revenues from the sale of RDF as zero," which a subsequent September 29, 1975 letter of interest from PEPCO (enclosed) does not appear to have corrected.

Because of EPA's concerns and press accounts which questioned the NCRR approach to resource recovery (enclosed), I asked Mr. Matthew Watson, the District of Columbia Auditor, to review the circumstances leading up to this NCRR project. In his reply (enclosed) Mr. Watson reported that there was no competitive bid process for this study and that the NCRR may have been in "conflict of interest" by performing this work. Because of these factors, I introduced a resolution to the City Council on October 7, 1975 that would require the District Government to go back to the drawing boards -- through a competitive bid process -- for the

planning, design, development, and construction of a resource recovery system built around a firm energy market which would not be adversely impacted by returnable beverage container legislation.

As a result of the October 18, 1975, Washington Post article (see enclosure) describing a recent letter to the Chairman of the Transportation and Environmental Affairs Committee written by Mr. Nicholas Humber, current Director of your Resource Recovery Division, many responsible Councilmembers feel that EPA has changed its position, and now favor the NCRR plan. In his October 17th letter, Mr. Humber mentioned that:

- "The District is pursuing a sound course of action in its plans to use the refuse derived fuel technology to implement resource recovery."
- "We do not believe that restudying the technology will identify a new technology that has not been discussed."
- This facility may cost more than $9.6 million to construct because these figures are based on preliminary design work. As the first engineering work is done, the dollar figures will be more sure.
- Proper emphasis is being put on energy recovery and the agreement with PEPCO is firm enough to proceed with the planning stages of the facility.

I am sure you can appreciate my confusion as to what EPA's true policy towards the NCRR facility is. Therefore, because of my long standing respect for you and the EPA, I am requesting that you review this matter. As a result of this review, if you will personally assure me that: competitive contracting for a feasibility study to consider all options, the assessment of all potential energy markets, including the Federal Government, the location of a firm energy market commitment, the design of a facility around this market, and the obtaining of unbiased cost estimates are not necessary prior to Council budget authorization, then I will withdraw my resolution and support the NCRR proposal.

I, respectfully, request your immediate reply so that this issue can be resolved in the best interest of the District of Columbia and surrounding areas.

Sincerely,

Julius W. Hobson

JULIUS W. HOBSON
Councilmember-at-Large

Enclosures -

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## News Release

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Council of the District of Columbia
Washington, D.C. 20004

cc: Mr. William C. McKinney

COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

JULIUS W. HOBSON
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Sincerely,

Julius W. Hobson

JULIUS W. HOBSON
Councilmember-at-Large

Enclosures -

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE December 1, 1975

HOBSON TO INTRODUCE PRIOR SEXUAL CONDUCT EVIDENCE ACT OF 1975

Councilmember Julius W. Hobson (Statehood at Large) will introduce legislation which would amend Title 14 of the D.C. Code at the Council's legislative session on December 2. The "Prior Sexual Conduct Evidence Act of 1975" would provide a procedure for the admission of evidence, in a court of law, with respect to the sexual conduct of witnesses. This bill would ban disclosure of a witness' prior sexual conduct in the presence of a jury unless the judge determined, in an in camera hearing, that such evidence is pertinent to the case at hand.

Although applicable in either civil or criminal proceedings, the intent of the bill is to focus on evidentiary disclosures of prior sexual conduct in sexual assault cases namely rape. In too many instances, the previous sexual activities of a witness are paraded before the judge and jury in cases where it does not further the cause of justice. The prevailing attitude that "the trial is the rape" for many sexual assault victims is a major reason why many rapes go unreported. In D.C. alone it is estimated that the actual number of rapes could be as high as nine times greater than the number of rapes reported to the police and hospitals. Hobson stated, the Prior Sexual Conduct Evidence Act of 1975 would improve Court treatment of a rape victim by:

1. Screening out the introduction of irrelevant evidence concerning the person's previous sexual conduct which could unfairly prejudice a jury.

2. Eliminating further degredation and humiliation on the part of a rape victim by limiting the discussion of that person's previous sexual conduct in a public trial.

"The Prior Sexual Conduct Evidence Act of 1975 is only a first step toward a more comprehensive revision of the present antiquated District of Columbia statutes which pertain to sexual assault." Hobson explained. "The Home Rule Charter precludes the City Council from enacting any legislation with respect to the District of Columbia's Criminal Code (Title 22) for the first two years of its existence. The prior Sexual Conduct Evidence Act of 1975 should be looked upon as an interim measure to provide some protection for sexual assault victims in court until such time that the issue of rape and sexual assault can be dealt with comprehensively and the D.C. Criminal Code can be amended."

For further information contact: Misty Scott or Sandy Brown
638-2223, ext. 72 or 73

J-3172-75

# Council of the District of Columbia
## Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To Council Staff

From Lorraine McCathy

Date March 4, 1976

Subject 5th floor Kitchen

Please remove any old lunch bags from the refrigerators on the 5th floor.

Also please clean any dirty dishes before close of business today. (4 pm)

at 4 pm I will throw out everything soiled or old.

# Council of the District of Columbia
## News Release

City Hall, 14th and E Streets, N.W. Fifth Floor 638-2223 or Government Code 137-3806

FOR IMMEDIATE RELEASE

March 5, 1976

DIRECT DEMOCRACY FOR THE DISTRICT BY THE NOVEMBER 1976 ELECTION --- HOBSON INTRODUCES INITIATIVE AND REFERENDUM ACT

Councilman Julius W. Hobson (Statehood at Large) announced today he is introducing the "Initiative and Referendum Act" which he hopes will enable the District of Columbia voters (by November) to recommend the enactment of their own legislation and to recommend the veto of legislation already passed by the Council and signed by the Mayor through the initiative and referendum process.

Simply stated, the initiative is the process by which a specified percentage of qualified voters may, through petition, write legislation and place it on the ballot for adoption or rejection by the voting public. If such a measure received a majority vote, it would be forwarded directly to Congress as a recommendation for action.

The referendum process allows the citizens, through petition, to place enacted legislation on the ballot for voter consideration. If a majority of the voters recommends to reject the legislation, the measure is then transmitted directly to Congress with a recommendation that the legislation be reconsidered and rejected.

Hobson's bill sets forth a simple process for the people to utilize both the initiative and referendum. The initiative requires that 5% of the qualified electors must sign the petition initiating the proposed measure before it is placed on the ballot. If a simple majority of those voting on the measure ratify it, the citizen initiated measure becomes a recommended act.

The referendum procedure requires that a petition calling for a measure to be submitted to the people must be signed by at least 5% of the qualified electorate before it can be placed on the ballot. Upon qualification, the legislation is voted on by the public, and if a simple majority votes against the measure that recommended rejection of the legislation is then transmitted to Congress for action. "Issues such as gun control, marijuana reform, and returnable bottles could not be ducked," Hobson stated.

"The process of initiative and referendum is well established," explained Hobson, "22 States have adopted such provisions in their constitutions. States such as California, Oregon, Washington, and Colorado have made extensive use of referendum and initiative over the past 50 years and its use

(More)

has become a routine part of the legislative process of these states. In the District, the modified initiative and referendum provisions would supplement the present legislative process by enabling the public to participate directly in policy decisions affecting their lives and welfare as early as the 1976 General Election.

For further information, contact: Paul "Sandy" Brown
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# Council of the District of Columbia
## Memorandum

City Hall, 14th and E Streets, N.W. 20004 Fifth Floor 638-2223 or Government Code 137-3806

To All Councilmembers

From Julius W. Hobson JWH

Date March 5, 1976

Subject The Initiative and Referendum Act

At the next legislative session on March 9, 1976, I am introducing the "Initiative and Referendum Act". The purpose of the bill is to allow the citizens of the District of Columbia to participate directly in their own government through the initiative and referendum process by the November 1976 election. Simply defined, the initiative is the process whereby a prescribed percentage of qualified voters may, though petition, place legislation on the ballot for adoption or rejection by the voters. Such recommended legislation is then referred directly to Congress for action. The referendum is the means by which the voters, through petition, may submit to popular vote a measure already passed by the City Council and signed by the Mayor and thereby directly ask Congress to change the measure.

The essential elements of the initiative provision of the bill require that:

1. Any initiative measure which is to be proposed must be presented to the Board of Elections and Ethics, accompanied by a petition that sets forth the text of the proposed legislation.

2. The initiative petition must be signed by at least 5% of the qualified voters in the District of Columbia who voted for Mayor at the last mayoral election.

3. The petition must qualify at least 60 days before the next general election if it is to be considered by the voters at that election. (A special election on the initiated measure may be called.)

4. Upon qualification, the initiated measure would be placed on the ballot without alteration for consideration at the next general election.

5. If a majority of electors vote in favor of the initiative measure, it shall be transmitted directly to Congress with the recommendation that Congress initiate and pass such legislation.

The basic elements of the referendum portion of the bill provide that:

1. Any referendum measure which is to be submitted to voters must be presented to the Board of Elections and Ethics asking that the act or part of it be submitted to the electors.

2. The referendum petition must be signed by at least 5% of the qualified voters of the District of Columbia who voted for Mayor at the last mayoral election.

3. The referendum petition must qualify at least 30 days before the next general election if it is to be considered at that election. (A special election to consider a referendum measure may be called.)

4. Emergency acts, laws calling for elections, and laws providing for tax levies or appropriations for the operating budget of the District of Columbia are not subject to a referendum vote.

5. A referendum measure approved by a majority of votes shall be transmitted directly to Congress with the recommendation that Congress reconsider and reject the legislation.

The idea of initiative and referendum in the United States developed at the turn of the Century as an out growth of the Progressive Reform Movement. The Progressives saw the power of initiative and referendum as a tool for the people to take direct action and therefore bypass the traditional, and often cumbersome, legislative process and executive veto. More recently this theme has repeated itself, particularly in the post-Watergate atmosphere. Recent public opinion polls suggest that the public has become increasingly suspicious of the traditional political process with what they perceive as its special interests, highly paid lobbyists, and unresponsive public officials and favor reforms in the political system which would give them a final check. The initiative and referendum are means to this end.

South Dakota was the first state to adopt initiative and referendum provisions and make them a part of its constitution in 1898. Since that time 21 other states have adopted both the initiative and referendum as amendments to their constitutions. California has made the greatest use of its initiative and referendum provisions. Since their adoption in 1911, 201 measures have been placed before the voters of California through the initiative process. Of these 201 measures, 44 have been adopted. As recently as 1974 the voters in that state approved Proposition 9, the Political Reform Initiative concerning financial disclosures and limitations affecting political campaigns. This year the initiative process has been successfully used to qualify a Nuclear Safeguards ballot proposition which is to be presented to the California voters in June 1976.

The legislative process in the District of Columbia now includes concurrence by the United States Congress. In order to consider this reality, the initiative and referendum provisions of this bill would have to be modified as a "recommendation" to Congress upon ratification rather than automatically becoming law. The "Initiative and Referendum Act" will allow the electorate to voice directly its sentiments and make those sentiments publically known. The experience in California, as well as in Oregon, Washington, and Colorado indicate that their citizens have used the initiative and referendum in a responsible and intelligent manner, and its use has become a routine part of the legislative process in those states.

The initiative and referendum are effective tools for self government. I welcome your support.

A Bill

In the Council of the District of Columbia

Councilmember Julius W. Hobson introduced the following bill which was referred to the Committee on _____.

To provide the citizens of the District of Columbia with the power of initiative and referendum; and for other purposes.

Be it enacted by the Council of the District of Columbia that this act may be cited as the "Initiative and Referendum Act".

Initiative

Sec. 101. The initiative is the power of the electors of the District of Columbia to propose legislation and refer such legislation directly to the electorate to pass or reject the same.

Sec. 102. (a) An initiative measure may be proposed by presenting to the Board of Elections and Ethics a petition that sets forth the text of the proposed legislation; and

(b) is certified by the Board of Eletions and Ethics to have been signed by qualified electors equal in number to five percent of those persons casting votes for all candidates for Mayor at the last mayoral election.

Sec. 103. The Board of Elections and Ethics shall then submit the initiative measure without alteration at the next general election held at least 60 days after it qualifies or at a special election held prior to that general election.

Sec. 104 (a) If a majority of the qualified electors voting on the initiative measure vote in favor thereof, such initiative measure shall thereupon become an initiative act.

(b) The Chairman of the Council of the District of Columbia shall transmit all such initiative acts to the Speaker of the House of Representatives and the President of the Senate on the day the Board of Elections and Ethics certifies that a majority of the qualified electors voting on the initiative measure voted in favor thereof.

(c) Any initiative measure which has been ratified by a majority of the qualified electors shall be referred to Congress with the request that a vote be taken on the initiative act within the thirty day period (excluding Saturdays, Sundays, and holidays and any day on which either House is not in session) beginning on the day such initiative act is transmitted by the Chairman of the Council of the District of Columbia to the Speaker of the House of Representatives and the President of the Senate. Such an initiative act shall take effect only if both Houses of Congress adopt a concurrent resolution, accordingto the procedures specified in Section 604 of the District of Columbia Self-Government and Governmental Reorganization Act.

Referendum

Sec. 201. The referendum is the power of the electors of the District of Columbia to recommend that Congress approve or reject acts or parts of acts, except emergency acts, acts calling for tax levies or appropriations for the operating budget of the District of Columbia, and thereby request the reconsideration and rejection of such acts.

Sec. 202. (a) A referendum may be proposed by presenting to the Board of Elections and Ethics a petition that sets forth the text of the act or a part of the act which is to be submitted to the electors; and

(b) is certified by the Board of Elections and Ethics to have been signed

by qualified electors equal in number to five percent of those persons casting votes for all candidates for Mayor at the last mayoral election.

Sec. 203. The Board of Elections and Ethics shall submit the measure at the next general election held at least 30 days after it qualifies or at a special election held prior to that general election.

Vote and Effective Date -- Conflicts

Sec. 301. (a) The Chairman of the Council of the District of Columbia shall transmit all referendum measures approved by the electorate to the Speaker of the House of Representatives and the President of the Senate on the day the Board of Elections and Ethics certifies that a majority of the qualified electors voting on the referendum voted in favor thereof.

(b) Any referendum which has been approved by a majority of the qualified electors shall be referred to Congress whith the request that a vote be taken on the referendum result with the thirty day period (excluding Saturdays, Sundays, and holidays and any day on which either House is not in session) beginning on the day such a referendum is transmitted by the Chairman of the Council of the District of Columbia to the Speaker of the House of Representatives and the President of the Senate. Such a referendum shall take effect only if both Houses of Congress adopt a concurrent resolution, according to the procedures specified in Section 604 of the District of Columbia Self-Government and Governmental Reorganization Act, approving such a referendum.

Sec. 302. If provisions of two or more measures approved at the same election conflict, those of the measure receiving the highest affirmative vote shall prevail.

Sec. 303. Prior to circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Mayor who shall prepare a

title and summary of the measure.

Sec. 304. The Council of the District of Columbia shall provide the manner in which petition shall be circulated, presented and certified and measures submitted to the electors.

Miscellaneous Provisions

Sec. 401. If any provisions of this act, or any section, sentence, clause, phrase or word or the application thereof, in any circumstances is held invalid, the validity of the remainder of the act and of the application of any provision, section, sentence, clause or word shall not be effected.

Sec. 402. This act shall take effect as provided for acts of the Council of the District of Columbia in Section 602 (c) of the District of Columbia Self-Government and Governmental Reorganization Act.

The Washington Star April 13, 1976

*Figure Matches Chauffeur System*

# Hobson's Choice: A $60,000 Ramp To Aid Handicapped at City Hall

By Diane Brockett
Washington Star Staff Writer

D.C. City Councilman Julius Hobson Sr. wants the District to shell out $60,000 for a ramp to make it easier for him to get to work.

That sum would match what the D.C. government proposes to spend chauffeuring its mayor and City Council chairman around next year, but Hobson says he's willing to share the ramp with the other 50,000 D.C. residents who suffer from some form of physical disability.

Hobson, who suffers from a form of bone marrow cancer and travels by wheelchair, wants the city to install a permanent ramp at the entrance to the District Building.

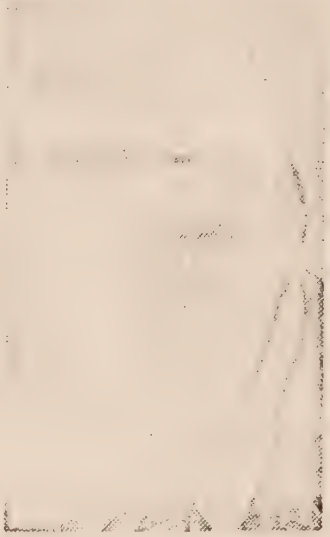
"What kind of a ramp do you get for $60,000 ?" asked an amazed councilman.

THE RAMP would be gently sloping, allowing a person in a wheelchair to wheel himself in, and would be made of a material that would not become slippery when wet, explained Councilman Arrington Dixon, chairman of the government operations committee, which has recommended the ramp to the full council.

Sandy Brown, Hobson's assistant, now must heave-ho his boss up the makeshift, rubber-covered wooden ramp on the stairs to City Hall. "A weak person can't push someone else up it and it's too steep for a person in a wheelchair to negotiate it himself," Brown said

In a recent rainstorm Brown slipped while wheeling his boss down to the sidewalk and the chair, still carrying Hobson, just missed leaving a large dent in the side of the mayor's black limousine parked at the front door.

The handicapped councilman has had to hold press conferences dealing with topics of concern to the handicapped outside the building, since many fellow wheelchair riders can't make it inside, Brown said.



JULIUS HOBSON
City open to suit

Hobson has charged the city is leaving itself open for a lawsuit with its present, meager convenience for handicapped persons.

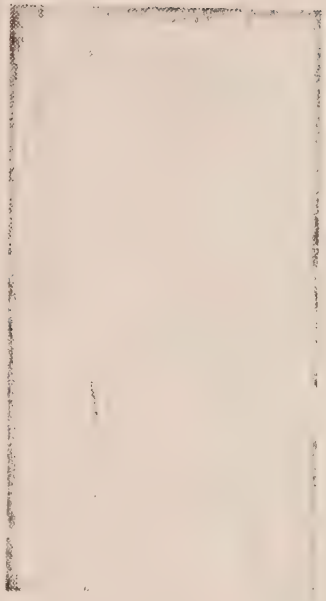
THE PROPOSED ramp would be built at the 13½ Street entrance to the District Building, curving around the side and running down to Pennsylvania Avenue. The $60,000 price tag includes two sets of electric doors.

There is no request for an appropriation to fund the ramp in next year's budget, but there is construction money available which could be reprogrammed for it, several officials said.

The city currently spends about $30,000 for full-time chauffeur service for the mayor and has asked that similar service be provided for the City Council chairman. The request has not yet been acted on by Congress.

Hobson's proposal is expected to be taken up by the council next Tuesday.

WASHINGTON POST APRIL 20, 1976



JULIUS HOBSON SR.
. . . seeks more data

# Quarterly School Finance Data Asked

By Lee A. Daniels
Washington Post Staff Writer

City Councilman Julius Hobson Sr. will ask the Council today to require D.C. school officials to prepare quarterly financial reports detailing how school funds are spent in each of the city's schools and school administrative offices.

The measure would provide data for parents or school officials who seek modification of a controversial 1971 court decree that ordered the school system to spend teachers' salaries equally among its elementary school students in the city.

Because of different methods used by school and city officials to maintain records of school expenditures, school officials now can "say generally, but not precisely how funds are spent at any individual school during each quarter or each year.

Hobson's measure would require these officials to coordinate their record-keeping to determine how city, federal, and private funds are spent by each school and administrative office.

Schools budget director Edward Winner said yesterday that "obviously we agree (with its intent). We and the school board have been seeking this kind of information as well. But we'll need a lot of help from the city. We can't do it by ourselves."

The decree by U.S. District Judge J. Skelly Wright, which came in a suit brought by Hobson, a longtime activist in educational affairs, ordered that money spent for teacher salaries at each elementary school fall within 5 per cent of the city-wide average.

Parents and school officials have complained that this has caused school officials to disrupt individual schools' educational programs.

At various times since 1971, school officials have said that they planned to return to court to modify the order.

Hobson pointed out that because of a lack of "accurate and timely data," school officials never have been able to go into court with the information they needed to persuade the court to modify the order on expenditures.

Last year, school officials shifted 25 full-time and 51 part-time teachers from 47 schools to comply with the Wright decree. In 1974, 25 full-time and 90 part-time teachers were transferred from 79 schools in the effort to achieve equalization.

FOR IMMEDIATE RELEASE

July 20, 1976

COUNCIL ADOPTS HOBSON'S SCHOOL COST CENTER REPORTING RESOLUTION

Today the Council of the District of Columbia unanimously adopted Councilman Julius W. Hobson's"School Cost Center Reporting Resolution", P.R. 1-206. Designed to provide detailed cost information on a school-by-school basis, the resolution calls for quarterly reporting by the Mayor on all expenditures for the D.C. Public Schools from both regular operating, federal grant and other funds.

For the first time, citizens will have access to full information on the cost of the operation of each school -- where does the money go -- what does it buy?

Compliance with this ~~resultion~~ resolution will be relatively easy for the Executive Branch since it requires reporting by city accounting codes which are used by all agencies for budgeting and accounting purposes.

Support for this resolution has been enthusiastic. Both the D.C. Public Schools and the Executive Office of Budget and Management Systems have critically commented and worked closely with the Committee on Education, Recreation and Youth Affairs on

the development of the "School Cost Center Reporting Resolution". "The Office of Budget and Management Systems has concurred with the reporting system. The Education Committee of the Council, through its meetings and staff work, has developed a reporting design that seems to be most useful ..."

Provisions of P.R. 1-296 permit the reporting format to change as the existing accounting codes are improved or streamlined. Introduced on April 20, 1976, the "School Cost Center Reporting Resolution" anticipated and closely parallels the recommendations for school-by-school cost accounting which was outlined in the Arthur Anderson report.

"This resolution is a direct culmination of my efforts during the last decade to assure that equal expenditures are made for the education of each child in the District of Columbia," stated Hobson. "The Cost Center reporting requirement carries that process to its logical conclusion: the establishment of a system to provide accurate and timely cost information for each school in the District of Columbia."

For further information, contact: Ms. Patricia Evans Miner
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